

ADDENDUM TO ZORC REDLINE DRAFT
July 11, 2007

The Planning Commission held work sessions on March 5, March 12, April 2, April 9, April 23, April 30, June 11, and June 27 2007. The Board of Supervisors public hearing on July 31, 2007 will consider the following draft Zoning Ordinance text recommended by the Planning Commission.

1. Amend Section 1-404(A) as follows:
[page 1-24]

(A) **Use of Nonconforming Lots.** If a lot was recorded prior to the effective date of this Zoning Ordinance, or is hereafter created in conformity with Section 1-103(H), and such lot met the requirements of the Zoning Ordinance in effect at the time of recordation, or complies with Section 1-103(H), then such lot may be used for any use permitted in the Zoning District in which it is located even though ~~the lot it~~ does not meet the lot ~~area, access and/or lot width~~ requirements of the district, provided all the other regulations of this Ordinance can be satisfied. Notwithstanding anything to the contrary contained herein, hamlet lots shall be governed by the Rural Hamlet Option as contained in Section 5-702.

2. Amend Section 1-404(C) as follows:
[page 1-25]

(C) **Boundary Line Adjustments.** Notwithstanding the provisions of paragraph (B) above, boundary line adjustments ~~shall may~~ be permitted between nonconforming lots, or between a conforming and a nonconforming lot, provided the Zoning Administrator finds that the degree of nonconformity for any lot resulting from such boundary line adjustment is not increased due to such adjustment. In addition, the Zoning Administrator shall find that a boundary line adjustment does not increase nonconformity and is permitted where ~~the number of residential units allowable on each affected lot with the boundary line adjustment is no greater than the number without the boundary line adjustment, and~~ the boundary line adjustment satisfies one of the following conditions: (1) it makes it possible to rectify a septic system or well failure by providing space for a replacement septic system or well that meets all applicable standards; (2) it incorporates acreage into a lot that is subject to a permanent conservation easement, with the new acreage added to the protected easement area; ~~or~~ (3) it allows any existing nonconforming lot to meet the twenty acre minimum lot size in the AR-1 zoning district or the ~~fifty forty~~ acre minimum lot size in the AR-2 zoning district; (4) it allows for boundary line agreements to correct survey inconsistencies; or (5) in the AR-1 and AR-2 zoning districts, make it possible to correct situations, such as where existing structures, fences, and private driveways are located on the adjacent lot to which such structures, fences, and private driveways are intended to serve. In these cases no lot shall be decreased to less than 80,000 square feet.

3. Amend Section 1-405(D) as follows:
[page 1-26]

(D) **Effect of Approval.** Upon approval of the application for termination of nonconforming status by the Board, the use or structure shall no longer be treated as nonconforming and shall be allowed to continue as a lawfully existing use or structure unless it is abandoned or discontinued for a continuous period of one (1) years. ~~one hundred eighty (180) consecutive days.~~ This status as a lawfully existing use shall apply only to the use or structure for which the special exception approval is issued and not to any other use or structure that may be located on the lot.

4. Amend Table 2-102 and Table 2-202 to add “recreation establishment, indoor” as a special exception use in the AR-1 and AR-2 zoning districts, pursuant to Section 5-661.
[pages 2-9 and 2-32]

USE CATEGORY	USE TYPE	AR-1/AR-2 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES
Recreation and Entertainment	Rural recreational Establishment, outdoor	P	
	<u>Recreation establishment, indoor</u>	<u>S</u>	<u>Section 5-661</u>

Add Section 5-661
[page 5-102]

5-661 Recreation Establishment, Indoor. Recreation Establishments, Indoor in the AR-1 and AR-2 shall be located wholly within one and one-half (1.5) miles of an incorporated town boundary and shall comply with the following standards.

(A) **Minimum Lot Size.** Minimum lot size shall be 35 acres.

(B) **Maximum Floor Area Ratio.** The maximum floor area ratio shall be 0.04.

(C) **Use Limitations.** Structures shall be sited to minimize visual impacts on adjacent properties and promote the rural character of the landscape. Siting on primary ridgelines or hilltops, if visible from the adjacent public roadways is prohibited; however, if, because of engineering constraints (e.g. utility easements, drainage, access easements, soil conditions, etc.) it becomes necessary to site a facility on a primary ridgeline or hilltop, then the applicant shall provide additional landscaping and buffering to mitigate the visual impact from adjacent public roadways.

(D) **Landscaping/Buffering/Screening.**

(1) **Buffer.** The use shall comply with the landscaping and screening standards of Section 5-653(A).

(2) **Parking Areas.** Parking areas shall be screened to comply with the requirements of Section 5-653(B).

(E) **Road/Access.**

(1) **General.** The recreation establishment, indoor use shall comply with the road access standards of Section 5-654.

(2) **Number of Access Points.** There shall be no more than two direct points of access from a recreation establishment, indoor to a public road. This requirement shall not preclude an additional access for emergency vehicles.

(3) **Driveways.** Driveways shall not be located within a required buffer yard area except as minimally necessary to access the site.

5. Add Section 2-505(E):
[page 2-63]

(E) **Maximum Residential Density.** One lot per 40,000 square feet calculated on the overall parcel, exclusive of streets.

6. Amend Sections 2-511, 2-612, 2-712 and 2-812 as follows:
[pages 2-66, 2-72, 2-78 and 2-83]

2-511 Setback and Access from Major Roads. In designing residential development, the following requirements of Section 5-900 shall be observed.

~~(A) **Setback.** No building shall be located any closer than one hundred (100) feet from the right of way of any arterial road and seventy five (75) feet from the right of way of a major collector and thirty five (35) feet from any other road right of way, private access easement and prescriptive easement.~~

(A) **Access.** No individual lot created after adoption of this Ordinance shall have direct access to an arterial or major collector road unless; said lot which is the subject of a boundary line adjustment application was previously provided access from said arterial or major collector road or said lot is the subject of a subdivision application for three (3) lots or less within this district.

- 1 7. Add Sections 2-605(E) and 2-606(F):
2 [page 2-70]
3

4 (E) Maximum Residential Density. One lot per 40,000 square feet calculated on the
5 overall parcel, exclusive of streets.
6

7 (F) Maximum Residential Density. One lot per 20,000 square feet calculated on the
8 overall parcel, exclusive of streets.
9

- 10 8. Add Sections 2-705(E) and 2-706(F):
11 [page 2-76]
12

13 (E) Maximum Residential Density. One lot per 40,000 square feet calculated on the
14 overall parcel, exclusive of streets.
15

16 (F) Maximum Residential Density. One lot per 15,000 square feet calculated on the
17 overall parcel, exclusive of streets.
18

- 19 9. Add Sections 2-805(E), 2-806(E) and 2-807(G):
20 [pages 2-81 and 2-82]
21

22 (E) Maximum Residential Density. One lot per 40,000 square feet calculated on the
23 overall parcel, exclusive of streets.
24

25 (E) Maximum Residential Density. One lot per 15,000 square feet calculated on the
26 overall parcel, exclusive of streets.
27

28 (G) Maximum Residential Density. One lot per 10,000 square feet calculated on the
29 overall parcel, exclusive of streets.
30

- 31 10. Amend/add proposed Sections 2-903(OO), 2-904(CC), 4-203(A)(32), 4-203(C)(8) and 4-
32 203(D)(7) as follows:
33 [pages 2-86, 2-87, 4-15 and 4-16]
34

35 2-903 Permitted Uses.

36 (OO) Training facility, accessory to a permitted or special exception use.
37

38 2-904 Special Exception Uses.

39 (CC) Training facility.
40

41 4-203 Permitted Uses.

42 (A) Neighborhood Center.

43 (32) Training facility, accessory to a permitted or special exception use.
44

45 (C) Small Regional Center.

46 (8) Training facility.

- (D) Regional Center.
(7) Training facility.

11. Amend Section 2-904(A) as follows:
[page 2-86]

- (A) Any one permitted use in excess of 1510,000 sq. ft. in gross floor area.

12. Add Section 2-910:
[page 2-89]

2-910 Development Setback and Access from Major Roads. In designing nonresidential development, the requirements of Section 5-900 shall be observed.

13. Amend Sections 3-108(A) and 3-109(A) as follows:
[pages 3-5 and 3-6]

3-108 Building Requirements for Cluster Development Reducing Lot Size Up to 20%.

- (A) Lot Coverage. 2030% maximum.

3-109 Building Requirements for Cluster Development Reducing Lot Sizes From 20% to 50% Pursuant to Section 6-1400.

- (A) Lot Coverage. 2530% maximum.

14. Delete Section 4-104(D)(1):
[page 4-3]

~~(1) **Impervious Surface.** In no case shall the impervious surface ratio of any single lot or parcel developed under Sections 4-105, 4-106, 4-107, or 4-108 exceed seventy (70%) percent.~~

15. Amend Section 4-206(D) as follows:
[page 4-20]

- (D) **Vehicular Access.** Primary access ~~and through vehicular traffic impacting residential neighborhoods~~ shall be ~~avoided~~ prohibited on residential neighborhood streets. This prohibition does not apply to collector roads through residential neighborhoods. Each commercial center shall provide a vehicular circulation plan that minimizes direct vehicular access to parking stalls from major cartways, and provides other on and off-site improvements to enhance pedestrian and vehicular circulation. Minor streets shall not be connected with streets outside the district in such a way as to encourage the use of such minor streets by through and construction traffic. In addition, each commercial center shall provide convenient and coordinated vehicular access to public roadways only as follows:

- (1) **Neighborhood Centers.** Local access roads.
- (2) **Community Centers.** Collector roads.
- (3) **Small Regional Centers.** Major collector roads.
- (4) **Regional Centers.** Controlled access onto arterial roads.

16. Amend Section 4-302(A) as follows:
[page 4-25]

- (A) On ~~primary state highways, however, direct access onto~~ arterial roads shall be limited to those consistent with adopted Corridor Plans or collector roads.

17. Amend Sections 4-305(B)(1), 4-405(B)(1), 4-505(B)(1), 4-605(B)(1), 4-705(B)(1) and 4-805(F)(1) as follows:
[pages 4-28, 4-37, 4-47, 4-57, 4-65 and 4-74]

- (1) **Adjacent to Roads.** ~~Except where a greater setback is required by Section 5-900, No building, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than one hundred (100) feet to the right-of-way of any arterial road, seventy-five (75) feet to any major collector road, and (35) feet to the right-of-way from any other road and no parking shall be permitted closer than twenty-five (25) feet to the right-of-way from any road. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in such setbacks.~~ areas between buildings

18. Amend Sections 4-306(C) and 4-406(C)(1) as follows:
[pages 4-30 and 4-38]

- (C) **Floor Area Ratio.** ~~.60 maximum; up to 2.0 maximum by Special Exception. Total floor area permissible on an individual lot shall not exceed .40 times the gross land area of the lot. However, the Board of Supervisors may permit a total floor area on an individual lot exceeding .40 times the gross land area of the lot as a part of approval of the Concept Development Plan, concurrent with the PD-OP amendment, or by amendment of an existing Concept Development Plan upon recommendation of the Planning Commission at any time after the original PD-OP amendment provided the following criteria are met.~~

- (1) **Maximum FAR Permitted.** ~~.60 maximum; up to 2.0 maximum by Special Exception. FAR shall not exceed .40 times the gross land area of the lot, unless allowed by the Board of Supervisors pursuant to paragraph (2) below.~~

19. Amend Section 4-307(E) as follows:
[page 4-31]

- (E) **Site Planning.** Within any PD-OP district, ~~the site plan shall provide for efficient groupings of structures, uses and facilities, and for smooth and convenient traffic flow~~

1 ~~within the district and at points of entry and exit. To promote park-like character~~
2 ~~within such districts, particular care should be taken to organize the landscaping in~~
3 ~~such a way as to maximize the visual effects of green spaces as seen from public ways.~~
4 ~~L~~andscaping, buffering, and screening shall be used to screen outdoor storage, areas
5 for collection of refuse, loading areas and parking from streets, agricultural and
6 residential uses.

7
8 20. Amend Section 4-307(F) as follows:
9 [page 4-32]

10
11 (F) ~~Development Setback and Access from Major Roads. In designing a planned office~~
12 ~~park development, the following requirements shall be observed:~~

13
14 ~~(1) Access. No individual lots created after adoption of this Ordinance shall have~~
15 ~~direct access to an arterial or major collector road.~~

16
17 ~~(2) Primary access and through vehicular traffic impacting residential neighborhoods~~
18 ~~shall be avoided prohibited on residential neighborhood streets. This prohibition~~
19 ~~does not apply to collector roads through residential neighborhoods. Minor~~
20 ~~streets shall not be connected with streets outside the district in such a way as to~~
21 ~~encourage the use of such minor streets by through and construction traffic.~~

22
23 21. Add Section 4-503(OO); Delete Section 4-504(S) as follows:
24 [pages 4-44 and 4-45]

25
26 4-503 Permitted Uses

27 ~~(OO) Contractor service establishment, excluding retail sales and outdoor storage.~~

28
29 4-504 Special Exception Uses

30 ~~(S) Contractor service establishment, excluding retail sales and outdoor storage.~~

31
32 22. Amend Section 4-503 to add permitted uses and amend Section 4-504 to delete special exception
33 uses as follows:
34 [pages 4-42, 4-44 and 4-46]

35
36 4-503 Permitted Uses.

37 (C) Camp, Day.

38 (D) Child care center, pursuant to Section 5-609(B).

39 (I) Office, administrative, business and professional, pursuant to Section 4-307(E).

40 (PP) Recreation establishment, outdoor or indoor.

41 (QQ) School, public and private.

42
43 4-504 Special Exception Uses.

44 ~~(A) Office, administrative, business and professional, provided~~

45 ~~(1) The specific site and size of each building or part thereof to be so used is~~
46 ~~identified as such on an approved development plan, and~~

~~(2) — The plan for development demonstrates a coordinated relationship between planned industrial uses and the offices under consideration.~~

~~(R) — Child care center, pursuant to Section 5-609(B).~~

~~(AA) — Recreation establishment, outdoor.~~

~~(KK) — School, public and private.~~

23. Amend Sections 4-507(E)(1), 4-507(E)(2) and 4-507(E)(7) as follows:
[pages 4-49 and 4-50]

(E) **Retail Sales as an accessory use.** Warehousing facilities may have retail sales as an accessory use in accordance with the following:

(1) ~~Such warehousing facility stores goods for at least one retail establishment located in a zoning district where retail is a permitted principal use. Retail sales are permitted Friday, Saturday, Sunday and Federal Holiday Mondays only.~~

(2) ~~At least eighty (80) percent of the gross floor area of the facility is devoted to warehousing facility use that is not a display area or retail sales area and is not accessible to the public.~~

(7) Notwithstanding the requirements of Section 5-1102 Parking, the retail use shall require four (4) ~~one (1)~~ parking spaces per 51000 gross square feet of retail area.

24. Amend Sections 4-507(G)(2) and 4-607(F)(2) as follows:
[pages 4-51 and 4-60]

(2) Primary access ~~and through vehicular traffic impacting residential neighborhoods~~ shall be ~~avoided prohibited on residential neighborhood streets. This prohibition does not apply to collector roads through residential neighborhoods. Minor streets shall not be connected with streets outside the district in such a way as to encourage the use of such minor streets by through and construction traffic.~~

25. Add Section 4-507(J) as follows:
[page 4-51]

(J) **On-Site Parking of Business Vehicles.** Parking of two-axle vehicles such as automobiles, pick-up trucks, and/or service vans utilized in connection with a permitted use shall be permitted on site.

26. Add Section 4-607(D)(5) as follows:
[page 4-59]

(5) Parking of two-axle vehicles such as automobiles, pick-up trucks, and/or service vans utilized in connection with a permitted use shall be permitted on site.

27. Amend Sections 4-707(D) and 4-808(Q) as follows:
[pages 4-66 and 4-77]

(D) **Access from Major Roads.** In designing special activity development, special activity development, the ~~following~~ requirements of Section 5-900 shall be observed.:

~~(1) **Setback.** No building shall be located any closer than 100 feet from the right of way of any arterial road and 75 feet from the right of way of a major collector, and thirty five (35) feet from any private access easement and prescriptive easement.~~

~~(2) **Access.** No individual lots created after adoption of this Ordinance shall have direct access to an arterial road.~~

~~(3)~~ Primary access ~~and through vehicular traffic impacting residential neighborhoods~~ shall ~~not be permitted~~ prohibited on residential neighborhood streets. This prohibition does not apply to collector roads through residential neighborhoods.

(Q) **Access from Major Roads.** The ~~following~~ requirements of Section 5-900 shall be observed.:

~~(1) **Access.** No individual lots created after adoption of this Ordinance shall have direct access to an arterial road. Individual lots in the Town Center Fringe area shall not have direct access to major collector roads.~~

~~(2)(1)~~ Primary access ~~and through vehicular traffic impacting residential neighborhoods~~ shall ~~not be permitted~~ prohibited on residential neighborhood streets. This prohibition does not apply to collector roads through residential neighborhoods.

28. Delete Section 4-1111(C):
[page 4-141]

~~(C) **Off parking facility, freestanding.** If the parking structure is not effectively shielded from the street by a building, the first floor of the parking structure shall be enclosed.~~

29. Amend Section 4-1503(A) as follows:
[page 4-192]

- (A) **Alteration.** A development action which will change the cross section of the floodplain and will increase either the erosive velocity or height of floodwaters either on-site or off-site. Alterations include, but are not limited to, land disturbing activities ~~such as clearing, grading, excavating, transportation and filling of land.~~

30. Amend Section 4-1503(F) as follows:
[page 4-193]

- (F) **Stormwater Management Improvements.** Surface ~~or subsurface~~ drainage improvements, storm sewers, detention and retention ponds and other such improvements as required ~~by the Facilities Standards Manual or under authority of~~ the Loudoun County Erosion Control Ordinance and Plan, Chapter 1220 of the Loudoun County Code.

31. Amend Section 4-1511 as follows:
[page 4-201]

4-1511 Density Calculations—Residential. For purposes of calculating the permitted ~~floor area and~~ number of residential units in the underlying zoning district, the land area in any portion of the Floodplain Overlay District shall be treated as follows:

- (A) Any portion of the Floodplain Overlay District in a watershed of a stream draining less than 640 acres shall be included as part of the land area for such calculations.
- (B) Except to the extent permitted in approved County Flood Plain Studies, any portion of the regulatory floodplain within the Floodplain Overlay District in a watershed of 640 or more acres shall be excluded as part of the land area for such calculations.

32. Add Section 4-1512 as follows:
[page 4-201]

4-1512 Density Calculations—Nonresidential. For purposes of calculating the permitted floor area in the underlying zoning district, the land area in any portion of the Floodplain Overlay District shall be treated as follows:

- (A) Any portion of the Floodplain Overlay District in a watershed of a stream draining less than 640 acres shall be included as part of the land area for such calculations.

(B) Any portion of the regulatory floodplain within the Floodplain Overlay District in a watershed of 640 or more acres may be included, up to a maximum of 25% of the parcel's total land area, for such calculations.

33. Amend Section 4-2104(A)(1) as follows:
[page 4-214]

- (1) **Average Front Yard.** Adjacent buildings shall have front yard distances that maintain visual continuity of the streetscape. Buildings shall have front yards consistent with the of a distance equal to the average front yard of all principal buildings on the same side of the street within 150 feet of both sides of the parcel or parcels being developed.

34. Amend Section 4-2104(A)(2) as follows:
[page 4-214]

- (2) **Building Height.** Proposed buildings shall have a building height no greater than 50% higher than the highest building on the same side of the street within 150 feet of both sides of the parcel or parcels being developed, not to exceed the maximum building height permitted in the underlying zoning district. Notwithstanding the foregoing, accessory buildings within 150 feet shall not be included when determining the highest building.

35. Amend Section 4-2104(B)(3) as follows:
[page 4-214]

(3) **Sidewalks**

- (a) Sidewalks may shall be provided for the parcel or parcels being developed in accordance with on one side of all streets, or greater if required by the Facilities Standards Manual (FSM).
- ~~(b) — Sidewalk connections. Connections to existing or planned sidewalks shall be made at the property boundaries of the project by incorporating and continuing all sidewalks stubbed to or shown as stubbed to the boundary of the development by previously approved development plans/plats or existing development. All development plans shall provide for future sidewalk connections to adjacent developable parcels at planned or current local street connections along each subdivision plat boundary.~~

36. Amend Sections 5-200, 5-200(A) and 5-200(B) as follows:
[page 5-4]

- 5-200 Permitted Structures in Required Yards and Setbacks.** The following shall be allowed in a required yard or setback, provided applicable sight distance and fire safety requirements are met and maintained:

(A) In all yards or setbacks, including a front yard:

(B) In any yard or setback, except ~~a~~ the front yard or setback.

37. Amend Section 5-400(C) as follows:
[page 5-8]

(C) The use of the dwelling for the home occupation shall be clearly incidental and subordinate to the use of the dwelling for residential purposes. ~~Not more than 25 percent of the gross floor area of the dwelling unit nor 25 percent of said gross floor area if conducted in an accessory structure, shall be used in the conduct of the home occupation.~~

38. Amend Section 5-500 as follows:
[page 5-9]

5-500 Temporary Uses/Zoning Permits. These uses are permitted in all zoning districts, subject to the following.

39. Amend Section 5-626 as follows:
[page 5-56]

(A) **Parcel Size.** Agriculture, Horticulture and Animal Husbandry uses shall be located on parcels 53 acres in size or larger.

(B) **Setbacks for Certain Structures.** No structure for housing livestock including barns, run-in sheds, stables, and the like shall be located closer than 60 100 feet from the any property line of an adjoining lots where a residential dwelling existing at the time of construction of the structure is the principal use. This setback shall not apply if, unless such a residential dwelling is located more than 60 100 feet from the property line adjoining the structure.

40. Amend Section 5-627(C) as follows:
[page 5-58]

(C) **Location on Site/Dimensional Standards.** Structures or storage areas of an agricultural support use (direct association) shall be set back from lot lines as follows:

Use	Lot Area (Min.)	Size of Structures (Max.)	Setback from Lot Lines
Level I—small scale	<u>57</u> to 25 acres	12,000 square feet	60 ft.
Level II—medium scale	>25 acres, up to 50 acres	24,000 square feet	120 ft.
Level III—large scale	> 50, up to 100 acres	36,000 square feet	175 ft.

41. Amend Section 5-630(B)(1), 5-630(C) and 5-630(E) as follows:
[pages 5-64 and 5-65]

(B) **Size of Use.**

- (1) **Structure Size.** The size of structures used on the agricultural support use (no direct association) shall not exceed the following floor area ratio or gross floor area, as applicable:

Use	Lot Area (Minimum)	Size of Structures (Maximum)
Agricultural Research Facility	25 acres	Maximum FAR: 0.02
Central Farm Distribution Hub for Agricultural Products	25 acres	Maximum FAR: 0.02
All Other Uses		
Level I—small scale	5 to 25 acres	12,000 square feet
Level II—medium scale	>25 acres, up to 50 acres	24,000 square feet
Level III—large scale	> 50 acres, up to 100 acres. Additional structure size allowed by right at rate of 2,400 square feet per 10 acres in excess of 100 acres, up to 48,000 square feet in total structure size for agriculture support <u>use</u> (no direct association uses)	36,000 square feet

- (C) **Location on Site/Dimensional Standards.** An agricultural support use (no direct association) shall be set back from lot lines as follows:

Use	Lot Area (Min)	Size of Structures (Max.)	Setback from Lot Lines
Agricultural Research Facility	25 acres	Maximum FAR (all structures): 0.02	150 ft.
Central Farm Distribution Hub for Agricultural Products	25 acres	Maximum FAR (all structures): 0.02	150 ft.
All Other Uses			
Level I—small scale	5 to 25 acres	12,000 square feet	60 80 ft.
Level II—medium scale	>25 acres, up to 50 acres	24,000 square feet	120 150 ft.
Level III—large scale	> 50, up to 100 acres	36,000 square feet	175 200 ft.

- (E) **Roads/Access Standards.**

42. Amend Section 5-633(B) as follows:
[page 5-69]

- (B) **Site Size.** The minimum lot area for an airport/landing strip shall be ~~25~~ 80 acres, except that a use consisting only of a landing strip with no accessory structures or facilities other than a fueling station shall be a minimum of 15 acres in size.

43. Amend Sections 5-900, 5-900(A)(1), 5-900(A)(3), 5-900(A)(11) and 5-900(A)(15) as follows:
[pages 5-124, 5-125 and 5-126]

5-900 Access and Setbacks From Specific Roads and the W&OD Trail.

(A) **Building and Parking Setbacks from Roads.**

(1) **Route 7.**

- (a) Fairfax County line, west to Broad Run. ~~100 feet.~~

(i) Building: 50 feet

(ii) Parking: 50 feet

(3) **Route 50.** Rt. 659 Relocated west to Fauquier County line. ~~200 ft.~~

(i) Building: 100 feet

(ii) Parking: 75 feet

(11) All other roads in Nonresidential Districts.

(a) Building: As specified in applicable district regulations.

(b) Parking: 25 feet unless otherwise specified in applicable district regulations.

(15) Modifications to Streetscape Consistency. Modifications may be allowed to these setbacks to maintain consistency with adjacent properties by Minor Special Exception.

44. Amend Sections 5-1102(B)(11), 5-1102(B)(12) and Table 5-1101 as follows:
[pages 5-134 and 5-139]

(11) **Cultural, Recreational, and Entertainment.**

- (a) **Public Assembly,** including art galleries, auditoriums, community and recreation centers, libraries, museums, movie and drama theatres, stadiums and arenas,

- 1 outdoor theatres/festival/drama, stadiums and arenas, funeral homes, mortuaries,
2 crematoria, civic/social/fraternal association meeting places and mausoleums.
3 (b) **Public Recreation**, including bowling alleys, gymnasiums, health clubs, roller
4 and ice skating, tennis, racquetball, swimming and other recreational facilities.
5
6 ~~(c) **Places of WorshipPublic Assembly**, including churches, synagogues, temples,~~
7 ~~funeral homes, mortuaries, crematoria, civic/social/ fraternal association meeting~~
8 ~~places.~~
9
10 (12) **Miscellaneous Uses.**
11
12 ~~(a) **Public Assembly**, including churches, synagogues, temples, funeral homes,~~
13 ~~mortuaries, crematoria, civic/social/ fraternal association meeting places.~~
14
15 ~~(b)(13)~~ **Hospitals**, including sanitariums, and residential alcoholic, psychiatric and narcotic
16 treatment facilities.
17
18

19 **Table 5-1101, Parking Spaces Required**

20 Cultural/Recreational/Entertainment

23 Public Assembly	.25/person in permitted occupancy approved by the Fire Marshal plus 1 space/employee	1/100,000 sq. ft. GFA
27 Public Recreation	.33/person in permitted occupancy approved by the Fire Marshal plus 1 space/employee	1/100,000 sq. ft. GFA
31 Private Club or Lodge	.33/person in permitted occupancy approved by the Fire Marshal plus 1 space/employee	1/100,000 sq. ft. GFA

35 Miscellaneous

37 <u>Places of WorshipPublic Assembly</u>	.25/person in permitted capacity	1/100,000 sq. ft. GFA
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39 Miscellaneous

42 <u>Hospitals</u>	1.5/employee on main shift; plus 1/doctor on staff; plus 1/2 beds for in-patient services; plus 1.5/ 250 square feet for out patient services	1/100,000 sq ft GFA up to 500,000 sq ft plus one/200,000 sq ft. thereafter.
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2
3 45. Amend Section 5-1102(F)(1) as follows:

4 [page 5-139]
5

- 6 (1) **Procedure.** In the specific instances set forth in Paragraphs 2 through 5 below, the
7 Zoning Administrator Board of Supervisors may ~~by special exception~~ approve a
8 reduction in required parking spaces. Applications for such a reduction shall include the
9 following information and in the case of special exception shall also meet the in-addition
10 ~~to these~~ requirements of Section 6-1300.
11

12 46. Amend Section 5-1102(F)(1)(c) as follows:

13 [page 5-140]
14

- 15 (c) A covenant must be executed for a period of 20 years, guaranteeing that the owner will
16 provide the additional spaces if the Zoning Administrator, upon thorough investigation of
17 the actual utilization of parking spaces at the building or complex, recommends to the
18 Board of Zoning Appeals that the approved reduction be modified or revoked. Said
19 covenant shall meet the same requirements for covenants set forth in Section 5-1103.
20 The Zoning Administrator will review the above completed application and make a
21 recommendation to the Board of Zoning Appeals. The Board of Zoning Appeals may
22 impose such additional conditions as are deemed necessary to protect and to assure
23 compliance with the objectives of this section.
24

25 47. Amend Section 5-1403(A)(2) as follows:

26 [page 5-164]
27

- 28 (2) At the time of planting, all canopy trees shall have a minimum caliper of one (1) inch
29 diameter at breast height (d.b.h., measured at 4 and ½ feet above ground level) dba, and
30 all understory trees shall have a minimum height of six (6) feet. Evergreen trees shall
31 be a minimum of six (6) feet in height. Evergreen shrubs shall have a minimum height
32 of thirty (30) inches. Dwarf deciduous shrubs shall have a minimum height of
33 eighteen (18) inches.
34

35 48. Amend Section 5-1403(D) as follows:

36 [page 5-164]
37

- 38 (D) ~~Any~~ landscaping required by this Section that would fall within the area of a recorded
39 sight distance easement granted to the County of Loudoun or the Commonwealth of
40 Virginia shall be eliminated or reduced to meet the standards of such sight distance
41 easement. permit site distances consistent with all current code requirements of
42 Loudoun County and VDOT. This plant material must be located elsewhere on site in
43 areas that provide room for viable plant growth.
44
45
46

49. Add Section 5-1403(E) as follows:

[page 5-164]

(E) Except where a Type 5 Buffer is required, any property with frontage on an existing or planned four-lane divided roadway shall provide, in lieu of otherwise applicable landscaping, buffering and tree planting along such roads, a Type 3 Front Yard Buffer along the property's frontage on such road, regardless of the present or planned future use on properties on the other side of such road.

50. Amend Section 5-1404(C) as follows:

[page 5-165]

(C) The landscaping ~~measures, as~~ required by this Section and depicted on such landscapingshall be shown on such initial plan ~~and~~ shall be completed or bonded in accordance with current County requirements ~~policy according to specifications~~ prior to approval of any Certificate of Occupancy.

51. Amend Section 5-1406(E)(2) as follows:

[page 5-168]

(2) If any property adjoins any existing or planned arterial road, except in the A-3, A-10, AR-1, ~~or~~ AR-2 or Village Conservation Overlay districts or where the Buffer Yard Type 5 is required by this Section, the required buffer yard shall be in accordance with Buffer Yard Type 3, however, such buffer yard landscaping shall be supplemented by a landscaped earthen berm at least four (4) feet in height and not to exceed a slope of 2:1. This requirement may be waived modified, and/or reduced, or the location of the required berm may be adjusted by the Zoning Administrator, where necessary to preserve existing mature trees. No buffer yard shall be required for the A-3 and A-10 districts where such property adjoins any existing or planned arterial road

52. Amend Section 5-1413(C)(1)(a) as follows:

[page 5-173]

(a) ~~Except where otherwise stated in this Ordinance, a~~ landscaping strip ten (10) feet in width measured from the edge of pavement, shall be located between the parking lot and the abutting property lines, except where driveways or other openings may necessitate other treatment. Where abutting parcels share a common access drive or parking lot circulation travelway, no such landscaping strip shall be required, provided that equivalent planting materials are provided elsewhere on the development site.

53. Add Table 5-1414(B) as follows:
[page 5-178]

Table 5-1414(B)					
Required Plantings per 100 Lineal Feet of Property Line					
Buffer Yard Type	Canopy Trees	Understory Trees	Shrubs	Evergreen Trees	Other Requirements
(1) Type 1					
Front	<u>2</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>10' minimum width</u> <u>25' maximum width</u>
Side/Rear	<u>1</u>	<u>4</u>	<u>0</u>	<u>0</u>	<u>10' minimum width</u> <u>25' maximum width</u>
(2) Type 2					
Front	<u>3</u>	<u>2</u>	<u>10</u>	<u>0</u>	<u>15' minimum width</u> <u>25' maximum width</u>
Side/Rear	<u>2</u>	<u>4</u>	<u>10</u>	<u>2</u>	<u>20' minimum width</u> <u>30' maximum width</u>
(3) Type 3					
Front	<u>3</u>	<u>3</u>	<u>20</u>	<u>0</u>	<u>20' minimum width</u> <u>30' maximum width</u>
Side/Rear	<u>2</u>	<u>5</u>	<u>10</u>	<u>4</u>	<u>25' minimum width</u> <u>30' maximum width</u>
(4) Type 4					
Front	<u>4</u>	<u>3</u>	<u>20</u>	<u>0</u>	<u>20' minimum width</u> <u>30' maximum width</u>
Side/Rear	<u>2</u>	<u>5</u>	<u>10</u>	<u>8</u>	<u>25' minimum width</u> <u>30' maximum width</u> <u>A Six foot high fence, wall, or berm providing a minimum opacity of 95%</u>

54. Amend Sections 5-1504(A) and add Section 5-1504(C) as follows:
[pages 5-195 and 5-196]

- (A) **General Requirements.** All sources of glare (direct or reflected artificial light) from any source (other than in connection with operating motor vehicles, lighting at publicly owned facilities utilized for athletic competition, and/or street lighting) must not cause illumination in excess of 0.25 foot candles above background light levels measured at the boundary of any commercial or industrial use abutting any residential use or at the lot line with any residential district, or, in residential or agricultural districts, at the lot line of any adjacent lot. In addition, in the A-3, A-10, AR-1, AR-2, and CR districts, lights shall be shielded so that the direct glare of the bulb is not visible beyond the property line of

the parcel. Publicly owned facilities utilized for athletic competition as exempted above shall use cut-off and fully shielded lighting fixtures that 1) are aimed downward and inward toward the athletic field or interior of the property and 2) are shielded in directions away from the athletic field to minimize glare and light trespass onto adjacent properties. Publicly owned athletic competition facilities must not cause illumination in excess of ten foot candles above background light levels measured at the boundary of any residential district, or, in residential or agricultural districts, at the lot line of any adjacent lot.

(C) Special Exception Review for Lighting that does not Comply with Standards.

Lighting that does not meet the standards of Section 5-1504(A) may be permitted by special exception, pursuant to Section 6-1300, upon a finding that the proposed alternative lighting is appropriate.

55. Amend Section 5-1508(B)(2)(a) as follows:

[page 5-202]

- (a) **Single Family Dwelling on Existing Legal Lot.** ~~A legal lot of record, intended for single family development, may be developed for a single family detached dwelling use. Construction of a single residential use on a legal lot existing as of June 16th, 1993 is exempt from the requirements of Section 5-1508(D).~~ Such exemption shall not apply to non-residential uses. Development on such lot shall be subject to all ~~other~~ **applicable** standards in ~~this~~ Sections 5-1508(E) and 5-1508(F).

56. Add Sections 5-1508(D)(1)(c)(vi) and 5-1508(D)(1)(c)(vii) as follows:

[page 5-204]

- (vi) Sanitary Sewer lines, pursuant to Section 5-1508(E)(7) below.
- (vii) Water lines located within or directly adjacent to the right-of-way of existing or approved roads, pursuant to Section 5-1508(E)(8) below.

57. Add Section 5-1508(E)(7) as follows:

[page 5-208]

(7) Sanitary Sewer Line Standards:

- (a) Where directional drilling can be utilized to install sanitary sewer lines across very steep slope areas and the drilling start and end locations do not result in land disturbance to very steep slopes, the crossing by means of directional drilling is permitted and the development standards in this section do not apply.
- (b) While determining the alignment of gravity sanitary sewer lines, every effort must first be made to avoid impacts to very steep slopes.

- 1 (c) For the purpose of these development standards, the steep slope designations
2 are based on the Loudoun County Steep Slopes Map.
- 3 (d) Sanitary sewer lines may not cross more than 200 feet of any one contiguous
4 very steep slope area. This maximum distance may be increased by the Zoning
5 Administrator, up to an additional 300 feet, provided the longer crossing
6 distance is found to minimize impacts to other environmentally sensitive areas
7 (streams, wetlands, riparian buffers, etc.), as demonstrated by applicable
8 information and/or reports/studies requested by the Zoning Administrator,
9 including, but not limited to: 1) geotechnical study, 2) geophysical study, 3)
10 preliminary soils review, 4) U.S. Army Corps approved wetland delineation, 5)
11 tree cover inventory, 6) Phase 1 archeological study, and 7) rare, threatened,
12 and endangered species survey. If the proposed crossing exceeds 200 feet and
13 the Zoning Administrator finds that the crossing does not minimize impacts to
14 other environmentally sensitive areas or the proposed crossing exceeds a total
15 of 500 feet, a special exception application is required in accordance with
16 Section 6-1300 of this Ordinance.
- 17
- 18 (e) If blasting is required for sanitary sewer line installation, a blasting plan that
19 describes measures that will be utilized to minimize impacts on
20 environmentally sensitive areas must be attached as part of the grading plan.
- 21
- 22 (f) No sanitary sewer lines shall cross steep slopes greater than 50 percent.
- 23
- 24 (g) Sanitary sewer lines shall be aligned in a manner that minimizes disturbance to
25 very steep slopes with existing tree cover. In situations where sanitary sewer
26 lines result in the clearing of vegetative cover other than open
27 grassland/pastureland, stabilization plans for temporary construction easements
28 must include reforestation and tree preservation techniques to be reviewed and
29 approved by the County Urban Forester.
- 30
- 31 (h) Where very steep slopes cannot be avoided, construction methods that
32 minimize easement widths and limits of disturbance shall be employed to the
33 greatest extent feasible.
- 34
- 35 (i) Prior to submission of grading plans to the County, the public entity
36 responsible for the maintenance and operation of the proposed sanitary sewer
37 line must conduct a field visit and certify that the grading plan minimizes
38 impacts to very steep slope areas and shows practical limits of construction.
- 39
- 40 (j) Limits of disturbance shall be a sufficient distance from jurisdictional streams
41 and wetlands so as to avoid negative impacts on such streams and wetlands,
42 except as permitted by the U.S. Army Corps of Engineers and Virginia
43 Department of Environmental Quality.
- 44
- 45 (k) To minimize control failure associated with sliding debris and the operation of
46 machinery within a confined area, two rows of super silt fence shall be

1 installed as a perimeter control on the downslope side of the disturbed area.
2 The inside row may be installed without filter fabric. The minimum spacing
3 between the rows shall be 2-3 feet to allow for maintenance.

- 4
5 (l) At a minimum, stabilization of disturbed areas shall consist of Treatment 1 as
6 described in Standard and Specification 3.36 (Soil Stabilization Blankets &
7 Matting) in the Virginia Erosion and Sediment Control Handbook. In problem
8 areas, as determined by the County, Treatment 2 can be required.
9

10 58. Add Section 5-1508(E)(8) as follows:
11 [page 5-208]
12

13 (8) **Water Line Standards:**
14

- 15 (a) Where directional drilling can be utilized to install water lines across very
16 steep slope areas and the drilling start and end locations do not result in land
17 disturbance to very steep slopes, the crossing by means of directional drilling is
18 permitted and the development standards in this section do not apply.
19
20 (b) Where water lines cannot be located within or directly adjacent to the right-of-
21 way of existing or approved roads or directional drilling is not an option, a
22 special exception application is required in accordance with Section 6-1300 of
23 this Ordinance.
24

25 59. Add Section 6-206(H):
26 [page 6-6]
27

- 28 (H) To hear and approve special exceptions for Errors in structure location within Very
29 Steep Slope Areas, pursuant to Section 6-1613, where the total area of land-disturbing
30 activity within the Very Steep Slope Area does not exceed 2,000 square feet, and
31 where the encroaching structure is a structure or use listed in Section 5-101(A) and is
32 attached to a principal residential structure, and no portion of the principal structure is
33 located within the Very Steep Slope Area, as defined in Section 5-1508(C)(1)(a).
34

35 60. Amend Section 6-403(A) as follows:
36 [page 6-12]
37

- 38 (A) **Submission Requirements.** The Board of Supervisors shall adopt by resolution
39 regulations enumerating those materials required to be included with each application
40 provided for in this Ordinance, which materials shall constitute the minimum submission
41 requirements for such application and be consistent with the requirements of this
42 Ordinance. Such submission requirements shall include a letter signed by the applicant
43 and by the owner of the property granting the right of entry upon the property to the
44 Zoning Administrator, law enforcement agents, and County inspectors for the purpose of
45 inspecting, and bringing law enforcement to the property, during the term of any permit
46 which may be issued. Such submission requirements shall also include, in the case of any

1 application for a Zoning Map Amendment, Zoning Ordinance Modification, Zoning
2 Concept Plan Amendment, Special Exception, Variance, Site Plan or Zoning Permit, the
3 provision of satisfactory evidence from the Treasurer's Office that any real estate taxes
4 due and owed to the County which have been properly assessed against the property have
5 been paid. Additionally, such submission requirements shall also include, in the case of an
6 application for Zoning Map Amendment, Zoning Concept Plan Amendment, Zoning
7 Ordinance Modification, Special Exception or Variance, a completed Disclosure of Real
8 Parties In Interest Form disclosing the equitable ownership of the real estate to be affected
9 including, in the case of corporate ownership, the name of stockholders, officers and
10 directors and in any case the names and addresses of all of the real parties of interest.
11 However, the requirement of listing names of stockholders, officers and directors shall not
12 apply to a corporation whose stock is traded on a national or local stock exchange and
13 having more than 500 shareholders. In the case of a condominium, the requirement shall
14 apply only to the title owner, contract purchaser, or lessee if they own 10% or more of the
15 units in the condominium. Revisions to the list of those materials required necessitated by
16 an amendment to this Ordinance shall be attached to such amendment for concurrent
17 consideration and adoption by resolution of the Board of Supervisors.
18

19 61. Amend Section 6-701(C) as follows:

20 [page 6-26]

- 21
22 (C) All nonresidential uses in the AR-1 and AR-2 Districts, ~~including all but excluding~~
23 permitted uses within the "agriculture support and services related to agriculture,
24 horticulture, and animal husbandry" use category, ~~but not including that do not~~
25 involve access by the public as a part of such use. ~~basic a~~ Agricultural, horticulture,
26 and animal husbandry permitted uses or those uses requiring a Rural Sketch Plan as
27 identified in Section 6-703 do not require a site plan.
28

29 62. Amend Section 6-1612 as follows:

30 [page 6-70]

31
32 **6-1612 Special Exceptions for Errors in Building Location.** As provided in Section 6-
33 206(D) of this Ordinance, the BZA may hear and approve special exceptions for errors
34 in building location, to include encroachments into minimum yard requirements,
35 setbacks and other requirements herein regulating building location, in the case of any
36 building existing or partially constructed which does not comply with such
37 requirements applicable at the time such building was erected.
38

39 ~~(A)(1)~~ The special exception may be approved if the BZA finds that:

- 40
41 ~~(1)(a)~~ The noncompliance was done in good faith, or through no fault
42 of the property owner, or was the result of an error in location
43 of the building subsequent to the issuance of a building permit,
44 if such was required; and
45

- 1 ~~(2)-(b)~~ Such reduction will not impair the purpose and intent of this
2 Ordinance; and
3 ~~(3)-(e)~~ It will not be detrimental to the use and enjoyment of the other
4 property in the immediate vicinity; and
5
6 ~~(4)-(d)~~ It will not create an unsafe condition with respect to both other
7 property and public streets, and
8
9 ~~(5)-(e)~~ To force compliance with the minimum yard requirements
10 would cause unreasonable hardship upon the owner, and
11
12 ~~(6)-(f)~~ The reduction will not result in an increase in density or floor
13 area ratio from that permitted by the applicable zoning district
14 regulations.
15
16 ~~(B)-(2)~~ In approving such a reduction under the provision of this Section, the
17 BZA shall allow only a reduction necessary to provide reasonable relief
18 and, as deemed advisable, may prescribe such conditions, to include
19 landscaping and screening measures to assure compliance with the
20 intent of this Ordinance.
21
22 ~~(C)-(3)~~ Upon the approval of a reduction for a particular building in accordance
23 with the provisions of this Section, the same shall be deemed to be a
24 lawful building.
25 ~~(D)-(4)~~ The BZA shall have no power to waive or modify the standards
26 necessary for approval as specified in this Section.
27

28 63. Add Section 6-1613:
29 [page 6-70]
30

31 **6-1613 Special Exceptions for Errors in Very Steep Slope Areas.** As provided in Section 6-
32 206(H) of this Ordinance, the BZA may hear and approve special exceptions for Errors
33 in structure location within Very Steep Slope Areas, when such error is an
34 encroachment that does not exceed 2,000 square feet of land-disturbing activity within
35 the Very Steep Slope Area, as defined in Section 5-1508(C)(1)(a), and is associated
36 with a structure or use listed in Section 5-101(A) that is attached to a principal
37 residential structure, and no portion of the principal structure is located within the
38 Very Steep Slope Area.
39

40 (A) The special exception may be approved if the BZA finds that:
41

- 42 (1) Activities associated with the removal of the attached building, structure,
43 or use would result in a net negative environmental impact, as
44 demonstrated by applicable information and/or reports/studies requested
45 by the Zoning Administrator, such as, but not limited to: 1) geotechnical
46 study, 2) geophysical study, 3) preliminary soils review, 4) site plan, 5)

grading plan, 6) structural analysis, 7) U.S. Army Corps of Engineers approved wetland delineation, 8) tree cover inventory, 9) Phase 1 archeological study, 10) rare, threatened, and endangered species survey, and 11) mitigation plan; and

(2) The noncompliance was done in good faith, or through no fault of the property owner, or was the result of a good faith error in location subsequent to the issuance of a building permit, if such was required; and

(3) The noncomplying structure was constructed in a manner that will protect life and property from hazards due to slope, unstable and erodible soils, earth movement, and other geologic and hydrologic hazards; and

(4) The noncomplying structure was constructed in a manner that does not increase the potential for increased erosion, sedimentation, and surface runoff, and the resulting adverse impacts on water quality; and

(5) The noncomplying structure was constructed in a manner that preserves the visual quality of steep slope areas; and

(6) The noncomplying structure will not be detrimental to the use and enjoyment of other property in the immediate vicinity.

(B) In approving such encroachment under the provision of this Section, the BZA may prescribe conditions to assure compliance with the intent of this Ordinance, such as, but not limited to: 1) reforestation, 2) stabilization treatment, 3) landscaping and screening measures, and 4) water quality measures.

(C) Upon the approval of a special exception pursuant to this section for a particular structure or use attached to a principal residential structure in accordance with the provisions of this Section, the same shall be deemed to be lawful.

(D) The BZA shall have no power to waive or modify the standards necessary for approval as specified in this Section.

64. Add the following definitions to Article 8:
[pages 8-3 and 8-30]

All-terrain vehicle (ATV): A small motor vehicle with three or four wheels designed for recreational use on various types of terrain.

Motorcycle: A two-wheeled automotive vehicle for one or two people. The operator must hold a valid driver's license with a Class M designation or a motorcycle driver's license.

65. Amend Article 8 definition of Farm Market as follows:
[page 8-18]

Farm Market: A principal use which includes the sale of aquacultural, horticultural or agricultural products, including nursery stock, perennial, annuals, bulbs, mulch, compost, dried flowers, Christmas trees and greens, fresh produce, honey, cider, and similar agricultural products. A minimum of twenty-five percent (25%) of the products sold must be aquacultural, horticultural or agricultural products produced within the County.

66. Amend Article 8 definition of Lot Coverage as follows:
[page 8-27]

Lot Coverage: The percentage of a lot area occupied by the ground area of principal and accessory buildings or structures, excluding uncovered decks, on such a lot. Multifamily and nonresidential parking structures below or above grade and stand-alone mechanical structures are excluded from lot coverage.

67. Amend Article 8 definitions of Moderately Steep Slope Area and Very Steep Slope Area as follows:
[pages 8-30 and 8-56]

Moderately Steep Slope Area: Land areas with slopes from 15% to 25%. The Steep Slope Standards do not apply to slopes created by permitted land disturbing activities, such as, but not limited to, building and parking pad sites; berms; temporary construction stock-piles; and road-side ditches.

Very Steep Slope Area: Land areas with slopes greater than 25%. The Steep Slope Standards do not apply to slopes created by permitted land disturbing activities, such as, but not limited to, building and parking pad sites; berms; temporary construction stock-piles; and road-side ditches.

68. Amend Article 8 definitions of Setback and Setback as follows:
[page 8-44]

Setback: For the purposes of Section 5-600, use of the terms “setback” or “set back” means the building, structure, use, or activity shall be located the required distances from the point of reference (e.g. lot line, right-of-way or building, etc.). Required yards, ~~but not parking areas,~~ may be located in this setback area.

Setback: The minimum distance by which any building or structure must be separated from the lot lines point of reference (e.g. lot line, right-of-way or building, etc.).

1
2
3 69. Add the following definitions to Article 8:
4 [page 8-49]
5

6 **Solid Waste Container:** A container that is specifically designed, constructed, and placed for
7 use as a depository for the storage of solid waste, which includes dumpsters, bulk containers,
8 refuse containers, or other such containers specifically designated as waste receptacles.
9

10 **Solid Waste Vehicle:** Any vehicle or portion thereof used to collect, remove, transport, or
11 dispose of solid waste or recyclable material and includes any container or other appurtenance
12 attached to, or associated with the vehicle, whether such container or appurtenance is affixed
13 temporarily or permanently.
14
15
16